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EXAMINER

HEFFINGTON, JOHN M

ART UNIT	PAPER NUMBER
2179	

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/785,340	Applicant(s) BOCKING, ANDREW D.
	Examiner John M. Heffington	Art Unit 2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 14 June 2007.
- 2a)  This action is **FINAL**.    2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 1-18 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-18 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some    \* c)  None of:
  - 1.  Certified copies of the priority documents have been received.
  - 2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5)  Notice of Informal Patent Application
- 6)  Other: \_\_\_\_\_

### **DETAILED ACTION**

This action is in response to the original filing of June 8, 2007. Claims 1-4, 6-9, 11, 12 and 15-18 have been amended. Claims 1-18 are pending and have been considered below.

#### ***Claim Objections***

1. Claim 8 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 5. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hellebust et al. (US 2005/0248437 A1) in view of Wagner et al. (US 2004/0259598 A1).

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Claim 1: Hellebust discloses a method of managing unread electronic messages comprising the steps of:

- a. providing a first indicator of the presence of unread electronic messages received (paragraph 0011);
- b. enabling scanning of the unread electronic messages received without reading (abstract, [The present invention allows the wireless device user to see at a glance what kind of information has been received and is being stored on the wireless device."]),

but does not disclose

- a. altering said first indicator to provide a second indicator providing and annunciation that new unread electronic messages have been received since the unread electronic messages were last scanned, and
- b. altering said first indicator is selected from the group consisting of altering an icon of said first indicator, adding indicia to said first indicator, adding an additional count to said first indicator, and combinations thereof.

However, Hellebust discloses that "the display of the wireless device may also be updated to reflect that a new message has arrived as by the display of standard or user-devined icond or sounds, ..." (paragraph 0011) and Wagner discloses that an icon can be altered to indicate new information or to show the count of unread messages (paragraph 0040, figures 3 and 4). Further, new messages are by their nature of being

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new have not yet been viewed or scanned. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add altering said first indicator to provide a second indicator providing and annunciation that new unread electronic messages have been received since the unread electronic messages were last scanned to Hellebust. One could have been motivated to add altering said first indicator to provide a second indicator providing and annunciation that new unread electronic messages have been received since the unread electronic messages were last scanned to Hellebust to give the user an indication of messages which have been viewed so the user can know that those messages have been scanned or viewed.

Further, Hellebust discloses "the display of the wireless device could show the number of messages..." (paragraph 0017) and Wagner discloses that an icon can be altered to indicate new information or to show the count of unread messages (pagagraph 0040, figures 3 and 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add altering said first indicator is selected from the group consisting of altering an icon of said first indicator, adding indicia to said first indicator, adding an additional count to said first indicator, and combinations thereof to Hellebust. One could have been motivated to add altering said first indicator is selected from the group consisting of altering an icon of said first indicator, adding indicia to said first indicator, adding an additional count to said first indicator, and combinations thereof to Salmimaa so that the number of unread email messages could be determined by the user.

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Claim 2: Hellebust and Wagner discloses the method of claim 1 and Hellebust further discloses the step of providing said first indicator of the presence of unread electronic messages received comprises providing a visual display indicating the presence of unread electronic messages received (paragraph 0011).

Claim 3: Hellebust and Wagner discloses the method of claim 2 and Wagner further discloses the step of altering said first indicator to provide a second indicator providing an annunciation that some of the unread electronic messages received are new electronic messages that have been received comprises altering the visual display (paragraph 0040, paragraphs 3 and 4). Further, Hellebust discloses "the display of the wireless device may also be updated..." (paragraph 0011). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add altering said first indicator to provide a second indicator providing an annunciation that some of the unread electronic messages received are new electronic messages that have been received comprises altering the visual display to Hellebust. One could have been motivated to add altering said first indicator to provide a second indicator providing an annunciation that some of the unread electronic messages received are new electronic messages that have been received comprises altering the visual display to Hellebust because it is a common way to notify a user by providing a visual cue on a display.

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Claim 4: Hellebust discloses a method for managing unread electronic messages comprising the steps of:

- a. providing a first indicator of the presence of unread electronic messages received (paragraph 0011);
- b. enabling scanning of the unread electronic messages received without reading (abstract, [The present invention allows the wireless device user to see at a glance what kind of information has been received and is being stored on the wireless device."]),
- c. providing said first indicator of the presence of unread electronic messages received comprises providing a visual display indicating the presence of unread electronic messages received (paragraph 0011).

but does not disclose

- a. generating a second indicator providing an annunciation that new electronic messages have been received since the unread electronic messages received were last scanned;
- b. wherein the step of generating said second indicator that new electronic messages have been received comprises altering the visual display; and
- c. wherein providing the visual display indicating the presence of unread electronic messages received comprises providing an icon indicating the presence of unread electronic messages received and altering the visual display comprises altering the icon to indicate the presence of new electronic messages received.

However, Hellebust discloses "the display of the wireless device may also be updated to reflect that a new message has arrived as by the display of standard or user-defined icon or sounds, ..." (paragraph 0011) and Wagner discloses that an icon can be altered to indicate new information or to show the count of unread messages (paragraph 0040, figures 3 and 4). Further, new messages are by their nature of being new have not yet been viewed or scanned. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add generating a second indicator providing an annunciation that new electronic messages have been received since the unread electronic messages received were last scanned to Hellebust. One could have been motivated to add generating a second indicator providing an annunciation that new electronic messages have been received since the unread electronic messages received were last scanned to Hellebust to give the user an indication of messages which have been viewed so the user can know that those messages have been scanned or viewed.

Further, Hellebust disclose "the display of the wireless device may also be updated to reflect that a new message has arrived as by the display of standard or user-defined icond or sounds, ..." (paragraph 0011) and Wagner discloses that an icon can be altered to indicate new information or to show the count of unread messages (paragraph 0040, figures 3 and 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the step of generating



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said second indicator that new electronic messages have been received comprises altering the visual display. One could have been motivated to add generating said second indicator that new electronic messages have been received comprises altering the visual display because it is a common way to notify a user by providing a visual cue on a display.

Further Hellebust discloses "the display of the wireless device may also be updated to reflect that a new message has arrived..." (paragraph 0011) and Wagner discloses that an icon can be altered to indicate new information or to show the count of unread messages (paragraph 0040, figures 3 and 4). Also, new electronic messages will be unread messages. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add providing the visual display indicating the presence of unread electronic messages received comprises providing an icon indicating the presence of unread electronic messages received and altering the visual display comprises altering the icon to indicate the presence of new electronic messages received. One could have been motivated to add providing the visual display indicating the presence of unread electronic messages received comprises providing an icon indicating the presence of unread electronic messages received and altering the visual display comprises altering the icon to indicate the presence of new electronic messages received because Hellebust discloses providing an icon to the user for new (unread) messages and it is common to alter icons to make notifications of new events.

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Claim 6: Hellebust and Wagner disclose the method of claim 4 and Wagner discloses that an icon can be altered to indicate new information or to show the count of unread messages (paragraph 0040, figures 3 and 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add altering the visual display comprises adding indicia to said first indicator to Hellebust. One could have been motivated to add altering the visual display comprises adding indicia to said first indicator to Hellebust because it is a common method for altering an indicator to adding indicia to the indicator.

Claim 7: Hellebust and Wagner discloses he method of claim 4 and Hellebust further discloses providing the visual display indicating the presence of unread electronic messages received comprises providing a visual indication of a count of unread electronic messages received (paragraph 0017).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 9 and 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hellebust et al. (US 2005/0248437 A1) in view of Wagner et al. (US 2004/0259598 A1) as applied to claim 7 above, and further in view of Microsoft Outlook 2000.

Claim 9: Hellebust and Salmimaa disclose the method of claim 7 but do not disclose

- a. the step of providing a visual display comprises providing an unread mail icon indicating the presence of unread electronic messages along with the visual indication of the count of unread electronic messages, and
- b. altering the display to indicate the presence of new unread electronic messages received comprises altering at least one of the unread mail icon and the count.

However, Microsoft Outlook 2000 discloses

- a. the step of providing a visual display comprises providing an unread mail icon indicating the presence of unread electronic messages along with the visual indication of the count of unread electronic messages (folder list, Inbox), and
- b. altering the display to indicate the presence of new unread electronic messages received comprises altering at least one of the unread mail icon and the count (folder list, Inbox).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add

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- a. the step of providing a visual display comprises providing an unread mail icon indicating the presence of unread electronic messages along with the visual indication of the count of unread electronic messages, and
- b. altering the display to indicate the presence of new unread electronic messages received comprises altering at least one of the unread mail icon and the count.

One could have been motivated to add

- a. the step of providing a visual display comprises providing an unread mail icon indicating the presence of unread electronic messages along with the visual indication of the count of unread electronic messages, and
- b. altering the display to indicate the presence of new unread electronic messages received comprises altering at least one of the unread mail icon and the count

to Hellebust because a mail icon could distinguish email messages from other electronic messages. Hellebust discloses count of messages with in a category.

Claim 10: Hellebust, Wagner and Microsoft Outlook 2000 disclose the method of claim 9, but do not disclose altering the display comprises adding to the visual display a second count of the new unread electronic messages received since the last scan.

However, Hellebust discloses that "the display of the wireless device could show the number of messages under each of the categories..." (paragraph 0017). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the

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invention to add altering the display comprises adding to the visual display a second count of the new unread electronic messages received since the last scan to Hellebust. One could have been motivated to add altering the display comprises adding to the visual display a second count of the new unread electronic messages received since the last scan to Hellebust because Hellebust discloses displaying a count for the number of messages for a category and a category could be new unread electronic messages received since the last scan.

6. Claims 5, 8, 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hellebust et al. (US 2005/0248437 A1) in view of Wagner et al. (US 2004/0259598 A1) as applied to claim 4 above, and further in view of Salmimaa et al. (US 2002/0160817 A1).

Claim 5: Hellebust and Wagner disclose the method of claim 4 and Salmimaa discloses altering the icon comprises at least one selected from the group comprising: flashing, bolding, changing the size, and changing the color of the icon (paragraph 0013).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add altering the icon comprises at least one selected from the group comprising: flashing, bolding, changing the size, and changing the color of the icon to Hellebust. One could have been motivated to add altering the icon comprises at least one selected from the group comprising: flashing, bolding, changing the size, and

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changing the color of the icon to Hellebust because altering an icon by flashing, bolding, changing the size, and changing the color is common in the art.

Claim 8: Hellebust discloses a method for managing unread electronic messages comprising the steps of:

- a. providing a first indicator of the presence of unread electronic messages received (paragraph 0011);
- b. enabling scanning of the unread electronic messages received without reading (abstract, [The present invention allows the wireless device user to see at a glance what kind of information has been received and is being stored on the wireless device."]),
- c. providing said first indicator of the presence of unread electronic messages received comprises providing a visual display indicating the presence of unread electronic messages received (paragraph 0011).

but does not disclose

- a. generating a second indicator providing an annunciation that new electronic messages have been received since the unread electronic messages received were last scanned;
- b. wherein the step of generating said second indicator that new electronic messages have been received comprises altering the visual display; and

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- c. wherein providing the visual display indicating the presence of unread electronic messages received comprises providing an icon indicating the presence of unread electronic messages received and altering the visual display comprises altering the icon to indicate the presence of new electronic messages received.
- d. altering the visual comprises at least one selected from the group comprising: flashing, bolding, changing the size, and changing the color of the icon

However, Hellebust discloses "the display of the wireless device may also be updated to reflect that a new message has arrived as by the display of standard or user-devined icond or sounds, ..." (paragraph 0011) and Wagner discloses that an icon can be altered to indicate new information or to show the count of unread messages (paragraph 0040, figures 3 and 4). Further, new messages are by their nature of being new have not yet been viewed or scanned. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add generating a second indicator providing an annunciation that new electronic messages have been received since the unread electronic messages received were last scanned to Hellebust. One could have been motivated to add generating a second indicator providing an annunciation that new electronic messages have been received since the unread electronic messages received were last scanned to Hellebust to give the user an indication of messages which have been viewed so the user can know that those messages have been scanned or viewed.

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Further, Hellebust disclose "the display of the wireless device may also be updated to reflect that a new message has arrived as by the display of standard or user-defined icon or sounds, ..." (paragraph 0011) and Wagner discloses that an icon can be altered to indicate new information or to show the count of unread messages (paragraph 0040, figures 3 and 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the step of generating said second indicator that new electronic messages have been received comprises altering the visual display. One could have been motivated to add generating said second indicator that new electronic messages have been received comprises altering the visual display because it is a common way to notify a user by providing a visual cue on a display.

Further Hellebust discloses "the display of the wireless device may also be updated to reflect that a new message has arrived..." (paragraph 0011) and Wagner discloses that an icon can be altered to indicate new information or to show the count of unread messages (paragraph 0040, figures 3 and 4). Also, new electronic messages will be unread messages. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add providing the visual display indicating the presence of unread electronic messages received comprises providing an icon indicating the presence of unread electronic messages received and altering the visual display comprises altering the icon to indicate the presence of new electronic messages received. One could have been motivated to add providing the visual display indicating



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the presence of unread electronic messages received comprises providing an icon indicating the presence of unread electronic messages received and altering the visual display comprises altering the icon to indicate the presence of new electronic messages received because Hellebust discloses providing an icon to the user for new (unread) messages and it is common to alter icons to make notifications of new events.

Further, Salmimaa discloses altering the icon comprises at least one selected from the group comprising: flashing, bolding, changing the size, and changing the color of the icon (paragraph 0013). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add altering the icon comprises at least one selected from the group comprising: flashing, bolding, changing the size, and changing the color of the icon to Hellebust. One could have been motivated to add altering the icon comprises at least one selected from the group comprising: flashing, bolding, changing the size, and changing the color of the icon to Hellebust because altering an icon by flashing, bolding, changing the size, and changing the color is common in the art.

Claim 11: Hellebust and discloses a system for managing electronic messages received, comprising:

- a. A display (Hellebust: paragraph 0011) [The display of the wireless device may also be updated...]

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- b. a message list of electronic messages received with identification of those that are unread (Hellebust: paragraph 0002) [However, most wireless devices are only equipped with a small screen that displays a few short lines of text or small graphics. To view each item that has been sent to the wireless device, the user generally must scroll through a series of screens or menus...]
- c. a first indicator on the display for indicating the presence of unread messages (Hellebust: paragraph 0011) [The display of the wireless device may also be updated to reflect that a new message has arrived...]

but does not disclose a second indicator on the display comprising an alteration to said first indicator means to provide an annunciation of the presence of new unread electronic messages received since the message list was last displayed. Wagner discloses that an icon can be altered to indicate new information or to show the count of unread messages (paragraph 0040, figures 3 and 4). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention for Hellebust to alter said first indicator to provide an annunciation of the presence of new unread electronic messages received since the message list was last displayed. One would have been motivated to alter said first indicator to indicate the presence of new messages.

Salmimaa further discloses an input means for selectively displaying the message list on the display (Salmimaa: paragraph 0038) [a user of a terminal can modify context

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values contained in the storage area using a keypad, cursor, stylus, or similar input device]. Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention for Hellebust to use an input means for selectively displaying the message list on the display. One would have been motivated to use an input means for selectively displaying the message list on the display because it is common to include an input means on many wireless devices.

Claim 12: Hellebust, Wagner and Salmimaa disclose a system for managing electronic messages received as in claim 11 above and Hellebust further discloses a system wherein the first indicator means comprises a count of unread electronic messages displayed on the display in addition to the annunciation of the presence of new unread electronic messages received (Hellebust: paragraph 0017) [The display of the wireless device could show the number of messages].

Claim 13: Hellebust, Wagner and Salmimaa disclose a system wherein the first indicator means comprises a count of unread electronic messages displayed on the display in addition to the annunciation of the presence of new unread electronic messages received as in claim 12 above and Wagner discloses that an icon can be altered to indicate new information or to show the count of unread messages (paragraph 0040, figures 3 and 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention for Hellebust to alter the count of unread electronic

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messages received. One would have been motivated to alter the count of unread electronic messages received in order to indicate the count of new messages received.

Claim 14: Hellebust, Wagner and Salmimaa disclose a system wherein the announcement of the presence of new unread electronic messages received comprises an alteration to the count of unread electronic messages received as in claim 13 above and Salmimaa further discloses a system wherein the alteration to the count comprises at least one of: bolding the count, flashing the count, changing the size of the count and changing the color of the count (Salmimaa: paragraph 0013) [The display characteristics of the icons can be modified such that certain icons appear wider, taller, brighter, enhanced in color or tone, etc.]. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention for Hellebust to alter the count by at least one of: bolding the count, flashing the count, changing the size of the count and changing the color of the count. One would have been motivated to alter the count by at least one of: bolding the count, flashing the count, changing the size of the count and changing the color of the count to make the count indication more readily apparent.

Claim 15: Hellebust, Wagner and Salmimaa disclose a system wherein the alteration to the count comprises at least one of: bolding the count, flashing the count, changing the size of the count and changing the color of the count as in claim 12 above (Salmimaa: paragraph 0013) [The display characteristics of the icons can be modified such that certain icons appear wider, taller, brighter, enhanced in color or tone, etc.]. The indicia

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are indicated by making the icons appear wider, taller, brighter, enhanced in color or tone, etc. as in claim 11 above.

Claim 16: Hellebust, Wagner and Salmimaa disclose a system wherein the first indicator comprises a count of unread electronic messages displayed on the display in addition to the annunciation of the presence of new unread electronic messages received as in claim 12 above, and Hellebust further discloses a system wherein the annunciation of the presence of new unread electronic messages received since the message list was last displayed comprises means altering the message icon but do not disclose (Hellebust: paragraph 0013) [The display characteristics of the icons can be modified...] as in claim 12 above, but neither reference discloses a message icon on the display adjacent the count of unread electronic messages received. However, It would be obvious to one having ordinary skill in the art at the time of the invention to add a message icon on the display adjacent the count of unread electronic messages to Hellebust. One would have been motivated to add a message icon on the display adjacent the count of unread electronic messages to Hellebust so that the message icon could be displayed proximate to the count icon, thereby making it easier to read both icons simultaneously.

Claim 17 Hellebust and Salmimaa disclose a system wherein the annunciation of the presence of new unread electronic messages received since the message list was last displayed comprises means altering the message icon as in claim 16 above and

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Salmimaa further discloses a system providing alteration to the message icon comprises at least one of: bolding the icon, flashing the icon, changing the size of the icon and changing the color of the icon (Salmimaa: paragraph 0013) [The display characteristics of the icons can be modified such that certain icons appear wider, taller, brighter, enhanced in color or tone, etc.].

Claim 18: Hellebust and Salmimaa disclose a system wherein the first indicator comprises a count of unread electronic messages displayed on the display in addition to the annunciation of the presence of new unread electronic messages received as in claim 12 above and Hellebust further discloses a system wherein the second indicator further comprises a second count, which is the count of the new unread electronic messages received (paragraph 0017) [The display of the wireless device could show the number of messages...]

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

8. Applicant's arguments filed 14 June 2007 have been fully considered but they are not persuasive. Applicant argues that "Salmimaa, like Hellebust, does not generate a

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second indicator providing an annunciation that new electronic messages have been received since the unread electronic messages received were last scanned." Scanning, as disclosed in the specification, involves displaying a list of new messages. Hellebust discloses that an alert is generated for a new message of sufficient priority and that "this alert message can optionally contain part or the entire contents of the original message along with classification information." (paragraph 0011) Further, Hellebust discloses that the message content can be displayed (paragraph 0011). According to Hellebust, messages that have been given sufficient priority and part of their contents displayed can be scanned with out reading the whole portion of their content, i.e. by viewing the alert. Also, Hellebust discloses "the display of the wireless device could show the number of messages under each of the categories..." (paragraph 0017) A category could be for messages whose alert has been viewed but have not been read.

Therefore, it is an obvious improvement to Hellebust to store scanned but unread messages under a distinct category and to display the number of these messages. In addition, it is an obvious improvement to Hellebust to identify these scanned but not read messages by a different icon. As a result, the icon used to identify a message that has not be scanned and not read would read on the limitation in the claims for a second indicator providing an annunciation that new electronic messages have been received since the unread electronic messages received were last scanned.

With respect to the argument that Salmimaa does not disclose an input means for selectively displaying the message list on the display, Salmimaa discloses "a keypad,

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cursor, stylus, or similar input device" associates with a display (paragraph 0038). The input devices disclosed in Salmimaa are common in the art for performing a variety of functions associated with a display. For example, in Microsoft Windows XP® a cursor and keyboard are used for selecting, entering text, dragging, displaying information via hovering, etc. It is common in the art to use a cursor to double click on an item to display it, for example, in Microsoft Windows XP®, double clicking on a document on the desktop to display it.

With respect to the argument that it is not common in the art to display a message icon next to a count of unread messages, Microsoft Outlook 2000® displays a count of unread or unopened messages next to the Inbox messages icon, the Deleted messages icon and the Draft messages icon.

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within



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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Heffington whose telephone number is (571) 270-1696. The examiner can normally be reached on Mon - Fri 8:00 - 5:30 EST.

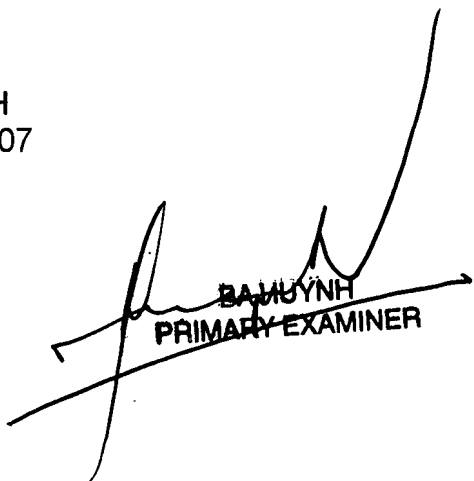
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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PRIMARY EXAMINER